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Michael See

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EXAMINER

KING, SIMON

ART UNIT

PAPER NUMBER

2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/728,454	Applicant(s) SEE ET AL.	
	Examiner SIMON KING	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-19 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-19 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10 and 16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As for claim 10, In 3, the cited limitation of "thereof" render claim 10 indefinite. Examiner is not sure as to what and where "thereof" referencing to. As for claim 16, In 2, the cited limitation of "...one of the one or more devices" have not antecedent basis. Appropriate corrective action is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 12-19 and 27-30 rejected under 35 U.S.C. 102(e) as being anticipated by Roese et al. (US 2003/0216143 A1).

As for claim 1, Roese discloses a system exchange method for automatically providing at least one system attribute to one or more Voice-over-Internet Protocol (IP) devices ([0091]:

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VoIP handsets) in a network (abstract and Fig.1), the method comprising the steps of: (a) automatically ([0087]) sending a Voice-over-IP device identification message from the one or more Voice-over-IP devices (Fig.1: USER DEVICE 104a and 104b) to a node (Fig.1: NETWORK SWITCHING DEVICE 136 (LOCATION SERVER 134 connected to device 136)) when the one or more Voice-over-IP device is operably coupled to the node ([0067]: system 100 detects users device: Fig.3 and [0080]: step 320); (b) automatically responding with a device identification acknowledgement message from the node to the one or more Voice-over-IP devices (Fig.3 and [0081]: step 330), the device identification acknowledgement message comprising one or more system attributes ([0097]: location information as authentication attribute), including connectivity information ([0081]); (c) conveying the connectivity information from the one or more Voice-over-IP devices ([0083]: Location Client sends location information received) to a private branch exchange system that maintains a relation database ([0132]: NETWORK ENTRY DEVICE 114 (PBX): Fig.1 and [0025]: LOCATION SERVER 134 includes location module 185 which includes location database: [0135]: location module 185 exists in entry device 114); and (d) associating the connectivity information at the relation database with a geographic location of the one or more Voice-over-IP devices ([0082] and [0062-0064]: Table 1).

As for claim 2, Roese discloses the system attribute exchange method, wherein the device identification acknowledgment is a Voice-over-IP device identification acknowledgment message ([0091]) and wherein the relation database is external to the private branch exchange system (Fig.1).

As for claim 3, Roese discloses the system attribute exchange method, wherein the one or more system attributes comprises a Virtual Local Area Network (VLAN) identification assigned to Voice-over-IP communications ([0091] and [0157]: VLAN tag: Table-4: VLAN ID).

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As for claim 4, Roese discloses the system attribute exchange method, wherein the node is a switching device (NETWORK SWITCHING DEVICE 136), and the one or more system attributes comprise a switching device identification as well as a port identification of a port to which the Voice-over-IP device is connected ([0064]).

As for claim 5, Roese discloses the system attribute exchange method, wherein the one or more Voice-over-IP devices comprise one or more Interact Protocol (IP) phones ([0091]).

As for claim 6, Roese discloses the system attribute exchange method, wherein the Voice-over-IP device is operably coupled to the node at the time of initialization of the Voice-over-IP device ([0087]).

As for claim 7, Roese discloses the system attribute exchange method, wherein the Voice-over-IP device identification message and the Voice-over-IP device identification acknowledgment are Attribute Advertisement Protocol messages ([0150-0153] and [0158-0159]).

As for claim 8, Roese discloses the system attribute exchange method, wherein a destination address of the Voice-over-IP device identification message includes a unique medium access control (MAC) address indicative of a system attribute exchange between the Voice-over-IP device and node ([0149]).

As for claim 9, Roese discloses the system attribute exchange method, wherein the Voice-over-IP device identification message is sent in response to a node initialization message (see rejection for claim 1).

As for claim 10, Roese discloses the system attribute exchange method, wherein the node initialization message is a switching device initialization message transmitted by a switching device upon the initialization thereof ([0092]).

As for claim 12, Roese discloses the system attribute exchange method, wherein the

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system attribute comprises connectivity information pertaining to physical connection of the one or more Voice-over-IP devices at the node and wherein the relation database has one or more tables that associate the node and a slot number and a port number on which the one or more Voice-over-IP devices connect to the node with the known geographic distribution of the node in the network (p20, Table-4).

As for claim 13, Roese discloses the system attribute exchange method, wherein one or more system attributes are transmitted to a relation database that associates at least one port number to its geographic location, whereby the physical location of the one or more devices is determined from the IP address of the Voice-over-IP device (Table-4).

As for claim 14, Roese discloses the system attribute exchange method, wherein a storage device is included in an Internet Protocol (IP) private branch exchange (PBX) system that cooperates with the Voice-over-IP device to provide voice communications ([0132]: NETWORK ENTRY DEVICE 114 (PBX): Fig.1 and [0025]: LOCATION SERVER 134 includes location module 185 which includes location database: [0135]: location module 185 exists in entry device 114).

As for claim 15, Roese discloses the system attribute exchange method, wherein the node is a switching device (Fig.1: NETWORK SWITCHING DEVICE 136).

As for claim 16, Roese discloses the system attribute exchange method, wherein the switching device is adjacent to at least one of the one or more devices (Fig.1: NETWORK ENTRY DEVICE 114).

As for claim 17, Roese discloses the system attribute exchange method, wherein at least one of the one or more devices is a Voice-over-IP device ([0143]: VoIP via PBX).

As for claim 18, Roese discloses the system attribute exchange method, wherein at least one of the one or more system attributes is a VLAN identification substantially dedicated to

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Voice-over IP communication within the network ([0091]).

As for claim 19, Roesse discloses the system attribute exchange method, wherein the switching device is made aware of the VLAN identification via a VLAN registration protocol ([0091] and [0097]: 802.1Q for configuration of network devices. Location Server 134 is a location aware device. USER DEVICE 104 register to Location Server 134 via NETWORK SWITCHING DEVICE 136).

As for claim 27, previously presented) The system attribute exchange method of claim 8, wherein the media access controller (MAC) address is a broadcast MAC address ([0168]: 802.1D. Well know in the art that 802.1D broadcast MAC address).

As for claim 28, Roesse discloses the system attribute exchange method, wherein the MAC address is a multicast MAC address ([0097] and [0153]: 802.1Q. Well know in the art that 802.1Q uses Multiple VLAN Registration Protocol (MVRP). It is a layer-2 network protocol to register MAC address, uses multicast).

As for claim 29, Roesse discloses the system attribute exchange method, wherein the VLAN registration protocol is the Group Address Resolution Protocol (GARP) VLAN registration protocol ([0097] and [0153]: 802.1Q. Well know in the art that 802.1Q uses Multiple VLAN Registration Protocol (MVRP) also as known as Generic Attribute Registration Protocol (GARP)).

As for claim 30, Roesse discloses the system attribute exchange method, wherein one or more system attribute are transmitted to a relation database that associates at least one port number to its geographic location, whereby the physical location of the one or more devices is determined from the MAC address of the Voice-over-IP device ([0062-0064] and Table 1).

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Response to Arguments

3. Applicant's arguments with respect to claims 1-10, 12-19 and 27-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KING whose telephone number is (571)270-1950. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

28 December 2009

/SIMON KING/
Examiner, Art Unit 2614

/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614